

Contacting the FPPC

Filing a complaint

Anyone who suspects a violation of the Political Reform Act may file a written complaint with the FPPC. Prior to filing a written complaint, it may be advantageous to contact the Enforcement Division's "intake unit" at the toll free number (800) 561-1861 to determine whether the FPPC has jurisdiction over the activity in question. The intake unit will not comment on whether any violation has actually occurred.

Public Records Act

Once a case is closed, the individual who filed the complaint, or other member of the public, may request access to information in the case file by making a request to the FPPC under the Public Records Act.

Written requests under the Public Records Act for closed case information should be sent to the Enforcement Division by fax at (916) 322-1932, or by regular mail addressed to the Fair Political Practices Commission, P.O. Box 807, 428 J Street, Sacramento, CA 95812. Copies of 10 pages or less are provided without charge. For documents in excess of 10 pages, the FPPC charges 10 cents per page. Alternatively, those seeking records may provide their own copying equipment and make the copies in the FPPC offices.

Web site

The FPPC maintains an Internet Web site, www.fppc.ca.gov. The site contains information on the investigation process, past enforcement actions and other commission matters.

The Mission of the FAIR POLITICAL PRACTICES COMMISSION

*is to promote the integrity of
representative state and local
government in California
through fair, impartial
interpretation and enforcement
of political campaign,
lobbying, and conflict of
interest laws.*



**State of
California**

**Fair Political Practices
Commission**

P.O. Box 807
428 J Street, Suite 620
Sacramento, CA 95812-0807

Phone: 1-916-322-5660
Internet: www.fppc.ca.gov

Toll-free Advice Line:

1-866-ASK-FPPC (1-866-275-3772)

**State of
California**

**Fair Political
Practices
Commission**



***What happens
after I file a
complaint with
the FPPC?***

Facts you should know about the FPPC's enforcement process

The Enforcement Division of the Fair Political Practices Commission investigates and prosecutes violations of California's Political Reform Act. These cases generally involve conflicts of interest, campaign contributions and expenditures and lobbying disclosure issues.

Each year, we receive and act upon hundreds of complaints filed by residents from all areas of the state. While the division has limited resources, we have a longstanding policy of responding to *each and every* written complaint that is properly submitted. Complaints may be made using either the form available on the Commission's Internet Web site or by mail, using the letter format suggested on the Web site, www.fppc.ca.gov.

As a general rule, the identity of any person filing a complaint will not be disclosed to the public or the parties against whom the complaint was made.

The FPPC has received my complaint. What now?

Enforcement Division personnel open a file on the complaint, enter it into our computer database and complete an initial screening to determine if the matter is appropriate for further investigation. For example, a complaint alleging a violation of California's open meeting law may not fall under the jurisdiction of the FPPC and is closed at this point. Frequently, we base the initial review solely on the strength of the complaint and any supporting documents that are submitted. But we may also do further legal study, investigation and interviews at this stage.

The Enforcement Division sends a letter acknowledging receipt of each properly filed complaint, even one that is closed prior to a full investigation. Our letter is usually written within 14 days of receipt of the complaint. If we close your complaint without an investigation because it alleges violation of a law outside of our jurisdiction—such as the Public Records Act—our initial letter will explain the action.

What happens when there is an investigation?

A complaint found to merit a full investigation is assigned to a staff attorney and an investigator, an accounting specialist or both. We may obtain additional documents, interview witnesses, including the person alleged to have violated the act, and issue subpoenas.

What happens after an investigation?

There are several possible outcomes once we have done a full investigation. FPPC Commissioners may be asked by staff to approve a settlement agreement in which the subject of the investigation agrees to pay an administrative fine or take other remedial action. The case may be closed for lack of supporting evidence or other reasons. Or, the case may enter a formal process that can result in an administrative prosecution by the Division and a hearing before an administrative law judge and possibly the full Com-

mission. Finally, the Commission may levy fines, dismiss the case or take other appropriate action.

In some cases, the FPPC may prosecute a case by a filing a civil lawsuit in the courts. We also may refer the case to a district attorney or the Attorney General for criminal prosecution.

Protecting the integrity of the process

A complete investigation and resolution of a complaint may take months or—in rarer cases—years. To protect the integrity of the investigation and the due process rights of the accused, we do not provide status reports on active investigations to individuals who file complaints, the media or the general public. With limited exceptions, we will neither confirm nor deny the existence of any complaint until after the case is closed, a formal administrative accusation is issued, a civil complaint is filed, or a proposed settlement agreement is presented to the Commission.

We realize that some persons who file a complaint may become understandably frustrated at not knowing the progress of a case, particularly during lengthy investigations. But if you have filed a complaint and have not heard from us, the reason is we are still working on the case. All complaint filers will be informed in writing about the final outcome of the case – what the agency did and why it did it.